



State of New Jersey

CHRIS CHRISTIE
GOVERNOR

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BOB MARTIN
COMMISSIONER

KIM GUADAGNO
LT. GOVERNOR

Mail Code 401-03
Division of Water Supply & Geoscience
New Jersey Geological and Water Survey Element
Bureau of Water Allocation & Well Permitting
401 E. State Street - P.O. Box 420
Trenton, New Jersey 08625-0420
Tel #: (609) 984-6831 - Fax #: (609) 633-1231
<http://www.nj.gov/dep/watersupply/>

May 7, 2013

NJ American Water Cape May System
3215 Fire Road
Egg Harbor Township, NJ 08234-5857
Attn: Kevin Brown

Dear Mr. Brown:

Re: Water Allocation Permit - Modification
Program Interest ID: 5054
Activity No. WAP110001

Enclosed is a permit issued pursuant to the Water Supply Management Act, N.J.S.A. 58:1A-1 et seq. This permit becomes effective on June 1, 2013 and is to divert water from three wells in the following Municipalities and Counties:

MUNICIPALITY	COUNTY
Middle Twp.	Cape May

Increased limits for the AC 800-foot sand sources from 29 mgm and 235 mgy to 54 mgm and 385 mgy respectively. Increased overall limits from 33 mgm and 271.5 mgy to 58 mgm and 421.5 mgy respectively. Added sodium monitoring requirements.

5054 is your Program Interest ID and WAP110001 is your Permit Activity Number, and will appear on all forms and correspondence from the Bureau of Water Allocation & Well Permitting. Reference your Program Interest ID and Activity No. in all correspondence.

Be advised that as you are responsible for complying with the terms and conditions of the enclosed permit you should review them thoroughly. Failure to comply with any or all of the terms and conditions could result in penalties and/or revocation of the permit.

Within 20 calendar days following your receipt of this permit you may submit a request for an adjudicatory hearing to contest the conditions of this permit. Regulations regarding the format and requirements for requesting an adjudicatory hearing may be found in N.J.A.C. 7:19-2.13.

To request a hearing, the permittee must complete the enclosed Tracking Form and supply all the information specified in Part III of the Tracking Form. A copy of the completed, signed and dated Tracking Form, together with all of the information required by Part III of the Tracking Form, including attachments where specified, must be submitted to:

1. Janis Hoagland, Director
New Jersey Department of Environmental Protection
Office of Legal Affairs
P.O. Box 402
Trenton, New Jersey 08625

2. Terry D. Pilawski, Chief
New Jersey Department of Environmental Protection
Mail Code 401-03
Division of Water Supply & Geoscience
Bureau of Water Allocation & Well Permitting
P.O. Box 420
Trenton, New Jersey 08625-0420

Very truly yours,



Terry D. Pilawski, Chief
Bureau of Water Allocation & Well Permitting

Enclosure

CERTIFIED MAIL NO. _____

c: Bureau of Water Allocation & Well Permitting
Southern Bureau of Water Compliance & Enforcement Element
Akinsanya Ode, BWAWP



State of New Jersey
Department of Environmental Protection
Bureau of Water Allocation
PO Box 426, Trenton, New Jersey 08625-0426



Water Allocation Permit

The New Jersey Department of Environmental Protection grants this permit* in accordance with your application, attachments accompanying same application, and applicable laws and regulations. This permit is also subject to further conditions and stipulations enumerated in the supporting documents.

Program Interest ID: 5054 Permit Number: WAP110001	Issuance Date: 05/07/2013	Effective Date: 06/01/2013	Expiration Date: 05/31/2023
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Name and Address of Applicant

NJ AMERICAN WATER CAPE MAY SYSTEM
3215 Fire Road
Egg Harbor Township, NJ 08234-5857

Location of Activity/Facility

Middle Twp.
Cape May

Type of Permit

Water Allocation Permit -
Modification

Statute(s)

N.J.S.A. 58:1A-1

This permit grants permission to divert water from the approved sources in the attached permit inventory, in the following municipalities, for the following water uses:

MUNICIPALITY
Middle Twp.

COUNTY
Cape May

Water Uses: Public Community Supply

This permit is subject to the attached Conditions.

Approved by the authority of:
Bob Martin, Commissioner
Department of Environmental Protection


Terry D. Piawski, Chief
Bureau of Water Allocation & Well Permitting

5/7/13
Date

* Permit means Certification, Approval, Registration, Equivalency, etc.

**NJ AMERICAN WATER CAPE MAY SYSTEM
5054**

Water Allocation Permit : WAP110001

Permit Inventory

Water Diversion Sources - Water may be diverted under this permit from the following sources:

Source Designation (Well Permit No. or Intake No.)	Description	Subject Item ID
3500006073	WELL 8	WSWL0000069099
3700000240	WELL 7	WSWL0000069695
3700001613	WELL 9	WSWL0000069730

Group Subject Items - The following items are grouped sources for the purpose of setting permit requirements outlined in this document:

Group Designation	Group Description	Group Subject Item ID	Group Members
NJ AMERICAN W CO CAPE MAY SYSTEM	5054 WA PERMIT - ALL DIVERSION SOURCES	WSWA0000075769	800-FOOT SAND AQUIFER SOURCES, WELLS 7 & 8 (WARG139927)
			COHANSEY AQUIFER SOURCE, WELL 9 (WARG139928)
800-FOOT SAND AQUIFER SOURCES	WELLS 7 & 8	WARG0000139927	3500006073, WELL 8 (WSWL069099)
			3700000240, WELL 7 (WSWL069695)
COHANSEY AQUIFER SOURCE	WELL 9	WARG0000139928	3700001613, WELL 9 (WSWL069730)

NJ AMERICAN WATER CAPE MAY SYSTEM

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Water Allocation Permit : WAP110001

Permit Requirements

Limit Requirements

The following limits apply and are the maximum permitted allocation:

Final Permit Phase from 06/01/2013 -

Subject Item	Parameter	Limit
NJ AMERICAN W CO CAPE MAY SYSTEM, 5054 WA PERMIT - ALL DIVERSION SOURCES (WSWA75769)	Maximum Diversion Rate	<= 2700 Gallons Per Minute. [N.J.A.C. 7:19- 2]
	Water Diverted	<= 58 Million Gallons Per Month. [N.J.A.C. 7:19- 2]
		<= 421.5 Million Gallons Per Year. [N.J.A.C. 7:19- 2]
800-FOOT SAND AQUIFER SOURCES, WELLS 7 & 8 (WARG139927)	Water Diverted	<= 54 Million Gallons Per Month. [N.J.A.C. 7:19- 2]
		<= 385 Million Gallons Per Year. [N.J.A.C. 7:19- 2]
COHANSEY AQUIFER SOURCE, WELL 9 (WARG139928)	Water Diverted	<= 10 Million Gallons Per Month. [N.J.A.C. 7:19- 2]
		<= 36.5 Million Gallons Per Year. [N.J.A.C. 7:19- 2]

Other Limit Requirements

Final Permit Phase from 06/01/2013 -

Subject Item	Parameter	Limit
3500006073, WELL 8 (WSWL69099)	Rated Pump Capacity	<= 1000 Gallons Per Minute. [N.J.A.C. 7:19- 2]
3700000240, WELL 7 (WSWL69695)	Rated Pump Capacity	<= 1000 Gallons Per Minute. [N.J.A.C. 7:19- 2]
3700001613, WELL 9 (WSWL69730)	Rated Pump Capacity	<= 700 Gallons Per Minute. [N.J.A.C. 7:19- 2]

Monitoring Requirements

Final Permit Phase from 06/01/2013 -

Subject Item	Requirement	Frequency	Monitored Parameter	Monitoring Method
3500006073, WELL 8 (WSWL69099)	Static water levels for each well indicated shall be monitored. [N.J.A.C. 7:19- 2]	Each Month	Static Water Level	Airline, Tape, or Gage
3700000240, WELL 7 (WSWL69695)				
3700001613, WELL 9 (WSWL69730)				

**NJ AMERICAN WATER CAPE MAY SYSTEM
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Water Allocation Permit : WAP110001

Monitoring Requirements

Final Permit Phase from 06/01/2013 -

Subject Item	Requirement	Frequency	Monitored Parameter	Monitoring Method
3500006073, WELL 8 (WSWL69099)	The monthly diversion from each source indicated shall be monitored. [N.J.A.C. 7:19- 2]	Each Month	Water Diverted	Meter
3700000240, WELL 7 (WSWL69695)				
3700001613, WELL 9 (WSWL69730)				
3500006073, WELL 8 (WSWL69099)	A raw water sample from each well indicated shall be analyzed for chloride concentration. [N.J.A.C. 7:19- 2]	Annually in September	Chloride	Total sample
3700000240, WELL 7 (WSWL69695)				
3700001613, WELL 9 (WSWL69730)				
3500006073, WELL 8 (WSWL69099)	A raw water sample from each well indicated shall be analyzed for sodium concentration. [N.J.A.C. 7:19- 2]	Annually in September	Sodium	Total sample
3700000240, WELL 7 (WSWL69695)				
3700001613, WELL 9 (WSWL69730)				

Record Keeping Requirements

Final Permit Phase from 06/01/2013 -

Subject Item	Requirement	Frequency	Monitored Parameter	Record Keeping Method
NJ AMERICAN W CO CAPE MAY SYSTEM, 5054 WA PERMIT - ALL DIVERSION SOURCES (WSWA75769)	A log book of month end meter readings for each diversion source shall be maintained on site. [N.J.A.C. 7:19- 2]	Each Month	Meter Reading	Log Book

NJ AMERICAN WATER CAPE MAY SYSTEM

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Water Allocation Permit : WAP110001

Submittal/Action Requirements

Final Permit Phase from 06/01/2013 -

Applicable Subject Items	Submittal/Action Type	Requirement
3500006073, WELL 8 (WSWL69099)	Submit Public Quarterly Report	The required monitoring results shall be recorded on the form provided by the Department. The completed form shall be submitted within 30 days after the end of each quarter. [N.J.A.C. 7:19- 2]
3700000240, WELL 7 (WSWL69695)		
3700001613, WELL 9 (WSWL69730)		
NJ AMERICAN W CO CAPE MAY SYSTEM, 5054 WA PERMIT - ALL DIVERSION SOURCES (WSWA75769)	Submit Proposal to Install Observation Well(s)	One permanent observation well shall be installed in order to document the water usage/water level relationship and to monitor the ambient conditions of the Atlantic City 800-foot sand aquifer. This well shall be equipped with a continuous recording device. The well location, recording device location, recording device type, recording device maintenance, frequency of measurements and data reporting schedule shall be determined by the Bureau of Water Allocation & Well Permitting in conjunction with the New Jersey Geological & Water Survey and/or the United States Geological Survey. The permittee shall be responsible for the construction, maintenance, and if necessary, eventual decommissioning of observation well. The permittee shall contact the Bureau of Water Allocation and Well Permitting within 90 days of the effective date of this permit to make arrangements for compliance with the above within 180 days of the effective date of this permit. [N.J.A.C. 7:19- 2]
NJ AMERICAN W CO CAPE MAY SYSTEM, 5054 WA PERMIT - ALL DIVERSION SOURCES (WSWA75769)	Submit Water Conservation and Drought Management Plan	The permittee shall continue to implement, to the satisfaction of the Department, an adequate water conservation and drought management program that takes into consideration the specific water supply situation of Cape May County and County-wide water conservation initiatives that are undertaken. The program shall encourage water conservation in all types of use within the area served by the permittee, including actions taken pursuant to this program and the impact thereof. An Update to the water conservation and drought management plan shall be submitted. Submit according to the following schedule: on or before April 30, 2015, and then prior to April 30 every other year thereafter. [N.J.A.C. 7:19- 2]

Text Requirements

All Phases

NJ AMERICAN W CO CAPE MAY SYSTEM, 5054 WA PERMIT - ALL DIVERSION SOURCES (WSWA75769)

1. All groundwater quality monitoring/sampling shall be performed in accordance with NJDEP's Field Sampling Procedures Manual, August 2005, Chapter 6.9 Groundwater Sampling Procedures. To properly determine the formation water chemistry, the purging of standing, stagnate borehole water shall be done by pumping several volumes of water until the sampling water is stabilized. [N.J.A.C. 7:19- 2]
2. Water may be diverted under this permit for public community supply. However, water shall not be used to serve non-potable, consumptive purposes for new projects that are greater than 50 percent non-potable and greater than 50 percent consumptive, where, as determined by the Department, alternate water sources, including but not limited to reclaimed water for beneficial reuse, are feasible to serve the non-potable, consumptive needs of the project. [N.J.A.C. 7:19- 2]

NJ AMERICAN WATER CAPE MAY SYSTEM

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Water Allocation Permit : WAP110001

Text Requirements

All Phases

NJ AMERICAN W CO CAPE MAY SYSTEM, 5054 WA PERMIT - ALL DIVERSION SOURCES (WSWA75769)

3. Water may be diverted under this permit only from the approved diversion sources at the maximum rates specified. [N.J.A.C. 7:19- 1]
4. A major modification of this permit may be required in order to request the approval of any additional diversion sources or an increase in the pumping capacity. [N.J.A.C. 7:19- 2]
5. All diversion sources shall be metered with a totalizing flow meter. [N.J.A.C. 7:19- 2]
6. At a minimum, each diversion source flow meter shall be calibrated at least once every five years. [N.J.A.C. 7:19- 2]
7. Each flow meter shall be calibrated to within five percent accuracy. [N.J.A.C. 7:19- 2]
8. All wells shall be equipped with a metal tag showing the well permit numbers (source designation) as listed in the allocation permit inventory or have the well permit numbers painted on the casings. [N.J.A.C. 7:19- 2]
9. The pumping equipment capacity shall not be increased without prior approval from the Bureau of Water Allocation and Well Permitting. [N.J.A.C. 7:19- 1]
10. Any well not intended for use shall be decommissioned in accordance with N.J.A.C. 7:9D-3.1 et seq. [N.J.A.C. 7: 9D- 3]
11. Any required chemical analysis shall be performed by a New Jersey Certified Laboratory. [N.J.A.C. 7:19- 2]
12. Wells shall be constructed so that static water level (depth to water) can be determined at any time. [N.J.A.C. 7:19- 2]
13. Static water level shall be measured and reported as depth to water, in feet, from ground surface. [N.J.A.C. 7:19- 2]
14. For pumping wells, static water level (depth to water) shall be taken when the well pump has been shut down for a recovery period of at least 12 hours. If the well cannot be shut down for the required period, it must be noted on an addendum to the Quarterly Monitoring Report form. Please note on the addendum the number of hours the well was shut down or that the reading is a pumping level. [N.J.A.C. 7:19- 2]
15. All new services shall be metered in accordance with all applicable laws, regulations or codes including, but not limited to, the Water Supply Management Act. [N.J.A.C. 7:19- 6]
16. All existing services shall be metered. [N.J.A.C. 7:19- 6]
17. Water charges for each service connection shall be based in part on metered usage. [N.J.A.C. 7:19- 6]
18. The monthly quantity of water transferred and delivered to/received from interconnections shall be reported as part of the water system monitoring on separate forms provided by the Department. [N.J.A.C. 7:19- 2]
19. The Department may modify, suspend or terminate this permit, after due process, for violations of permit conditions, N.J.S.A. 58:1A-1, N.J.A.C. 7:19-1 et seq., any orders issued by the Department, or when in the public interest. [N.J.A.C. 7:19- 2]
20. The permittee shall investigate to the Department's satisfaction complaints by users of wells or surface water supplies within the zone of influence of its diversion to determine what impact the diversion has had on such wells or surface water supplies. A report on these investigations shall be forwarded to the Bureau of Water Allocation and Well Permitting. Any well or surface water supply which becomes damaged, dry, has reduced capacity, reduced water quality or is otherwise rendered unusable as a water source as a result of the permittee's diversions shall be repaired or replaced at the expense of the permittee. Work shall be in accordance with all State, County and Municipal construction standards for potable water. After reviewing all applicable investigational reports the Department of Environmental Protection will make the final determination regarding the validity of such complaints, the scope or sufficiency of such investigations, and will determine how to resolve any problems resulting from the diversion. [N.J.A.C. 7:19- 2]
21. This permit is issued for a limited period, and is not subject to automatic renewal. [N.J.A.C. 7:19- 2]
22. The permittee is subject to such fees as may be prescribed by the regulations. [N.J.A.C. 7:19- 3]
23. The permittee shall have the right to apply at any time for modification of this permit by submission of the appropriate application forms. [N.J.A.C. 7:19- 2]
24. The permittee may informally discuss the terms and conditions of this permit at any time with the Bureau of Water Allocation and Well Permitting. [N.J.A.C. 7:19- 2]
25. The permittee shall obtain approval from the Bureau of Water System Engineering before using the diversion for public water supply. [N.J.A.C. 7:19- 2]

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Text Requirements

All Phases

NJ AMERICAN W CO CAPE MAY SYSTEM, 5054 WA PERMIT - ALL DIVERSION SOURCES (WSWA75769)

26. In addition to the specific management requirements cited above, and when so directed by the Department, the permittee shall comply with applicable portions of the Water Supply Management Rules (N.J.A.C. 7:19-6 et seq. and N.J.A.C. 7:19-8 et seq.) to include the determination of dependable yield; unaccounted-for water; rehabilitation; system pressure and storage; interconnections; and operation of interconnections. [N.J.A.C. 7:19- 6]
27. If the permittee violates any condition of this permit, the permittee is subject to administrative penalties up to \$25000 per day per offense. [N.J.S.A. 58: 1A-16]
28. The issuance of this permit shall not be deemed to affect in any way action by the Department of Environmental Protection of the State of New Jersey on any future application. [N.J.A.C. 7:19- 2]
29. No change in plans or specifications shall be made except with the prior written permission of the Department of Environmental Protection of the State of New Jersey. [N.J.A.C. 7:19- 2]
30. The granting of this permit shall not be construed to in any way affect the title or ownership of property, and shall not make the Department of Environmental Protection or the State a party in any suit or question of ownership of property. [N.J.A.C. 7:19- 2]
31. This permit does not waive the obtaining of Federal or other State or local government consent when necessary. This permit is not valid and no work shall be undertaken until such time as all other required approvals and permits have been obtained. [N.J.A.C. 7:19- 2]
32. A copy of this permit shall be kept at the facility site, and shall be exhibited upon request of any person. [N.J.A.C. 7:19- 2]
33. The Department has the right to enter and inspect any site, building, or equipment, or any portion thereof, owned or operated by the permittee, at any time, in order to ascertain compliance or noncompliance with N.J.S.A. 58:1A-1 et seq., 58:4A-4.1 et seq., 58:12A-1 et seq., these rules, or any other agreement or order issued or entered into pursuant thereto. Such right shall include, but not be limited to, the right to require the testing of any equipment at the facility, to sketch or photograph any portion of the site, building or equipment, to copy or photograph any document or records necessary to determine such compliance or noncompliance, and to interview any employees or representative of the owner, operator, or permittee. Such right shall be absolute and shall not be conditioned upon any action by the Department, except the presentation of appropriate credentials as requested and compliance with appropriate standard safety procedures. [N.J.A.C. 7:19- 2]
34. This permit may be transferred, with the consent of the Department, but only for the identical use of the waters. [N.J.A.C. 7:19- 2]
35. If the authorized diversion privileges are not currently diverted, subject to contract, or reasonably required for a demonstrated future need, they shall revert back to the State upon renewal or modification of the permit. [N.J.A.C. 7:19- 2]
36. The permittee shall protect each source from vandalism, tampering, and contamination at all times. [N.J.A.C. 7:19- 2]
37. This permit shall expire as indicated on the permit approval cover page. [N.J.A.C. 7:19- 2]